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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **RECEIVED**

AUG 21 2002

Application of: Brines et al.

Confirmation No. 5119

TECH CENTER 1600/2900

Application No.: 09/717,057

Group Art Unit: 1646

Filed: November 21, 2000

Examiner: DeBerry, Regina M.

For: MODULATION OF EXCITABLE TISSUE  
FUNCTION BY PERIPHERALLY ADMINISTERED  
ERYTHROPOIETIN

Attorney Docket No.: 10165-010-999

**RESPONSE TO RESTRICTION REQUIREMENT UNDER 37 C.F.R. § 1.143**

Assistant Commissioner for Patents  
Washington, D.C. 20231

SIR:

In response to the Office Action dated May 17, 2002, and pursuant to Rule 143 of the Rules of Practice, please consider the remarks below. Applicants submit concurrently herewith: (1) a Supplemental Information Disclosure Statement, including revised PTO Form 1449 citing references EG-EZ, with appropriate fee; and (2) Exhibit A: a copy of the pending claims.

It is estimated that no additional fee is necessary to file this amendment. In the event that an additional fee is required, please charge Pennie & Edmonds LLP Deposit Account No. 16-1150.